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★ JUL 03 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE APPLICATION OF DEBBIE GUSHLAK
PURSUANT TO 28 U.S.C. § 1782 FOR THE
TAKING OF DISCOVERY FOR USE IN A
FOREIGN PROCEEDING

BROOKLYN OFFICE

ORDER
11-MC-218 (NGG)

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NICHOLAS G. GARAUFIS, United States District Judge.

Pending before the court are two motions relating to the court's April 30, 2012, order holding Respondent Myron Gushlak in contempt. The applicant in this case, Debbie Gushlak, has moved for even more coercive sanctions to be imposed on Myron. (See Docket Entry # 106.) Myron has cross-moved to have his contempt purged. (See Docket Entry # 112.) Related to Debbie's motion, there is also open an application by Myron to file a sur-reply. (See Docket Entry # 109.)

Myron's request for leave to file a sur-reply is DENIED; his motion to have his contempt purged is respectfully REFERRED to Magistrate Judge James Orenstein for a report and recommendation; and the court will hold Debbie's motion to impose more coercive sanctions in abeyance pending resolution of the motion to purge. The parties are directed to contact the chambers of Judge Orenstein to set a briefing schedule for Debbie's opposition to the motion to purge and Myron's reply, if any, in support of that motion.

SO ORDERED.

s/Nicholas G. Garaufis

Dated: Brooklyn, New York
July 3, 2012

NICHOLAS G. GARAUFIS
United States District Judge